

REMARKS

Claims 1-3, 5-8, 10-11 and 14-24 were examined by the Office, and in the final Office Action of February 20, 2009 all claims are rejected. With this response claims 1, 14-16, 18-19 and 22 are amended. All amendments are fully supported by the specification as originally filed. Support for the amendments to the claims can be found at least from page 9, lines 25-29. Applicant respectfully requests reconsideration and withdrawal of the rejections in view of the following discussion.

Applicant acknowledges that the claims are amended after a final Office Action, but respectfully submits that the claims are amended in order to clarify the limitations recited in the claims, and to address the § 112 rejections of the final Office Action. The independent claims are amended to clarify that the user identifier identifies the user of the wireless terminal. This amended is made in order to clearly recite that the user identifier does not provide an identification of the business relationship manager module, because the user identifier identifies the user, and not the business relationship manager module. The Office has specifically requested on pages 2-3 of the Office Action what is meant by the two features being “independent.”

Applicant respectfully submits that this meaning can be found from the previous claim language that “the user identifier is independent of the business relationship manager module,” i.e. the user identifier does not identify the manager module. Therefore, applicant respectfully submits that the amendments to the independent claims do not raise any new issues, or require additional substantive examination on the part of the Office. Accordingly, applicant requests entry and consideration of the amendments.

Claim Rejections Under § 112

In section 4, on page 3 of the Office Action, claims 1-3, 5-8, 10-11 and 14-24 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicant respectfully submits that the amendment to the claims to recite that the user identifier identifies the user of the wireless terminal is supported by the specification as filed. In particular, support can be found at least from page 9, lines 25-29 of the specification.

Accordingly, applicant respectfully requests withdrawal of the written description rejection.

In section 6, on page 4 of the Office Action, claims 1-3, 5-8, 10-11 and 14-24 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite. The Office asserts that it is unclear what is meant by two features being “independent.” In order to clarify the limitations of the independent claims, the independent claims are amended to recite that the user identifier identifies the user of the wireless terminal. This amendment makes clear that the user identifier does not identify the business relationship manager module, i.e. is independent of the identity of the module. Therefore, applicant respectfully submits that the claims as amended are definite.

Claim Rejections Under § 103

In section 9, on page 4 of the Office Action, claims 1-3, 5-7, 10, 14-16 and 18 are rejected under 35 U.S.C. § 103(a) as unpatentable over Edelman et al. (U.S. Appl. Publ. No. 2002/0029347) in view of Circenis (U.S. Appl. Publ. No. 2003/0135474). Applicant respectfully submits that claim 1 is not disclosed or suggested by the cited references, because the cited references fail to disclose or suggest all of the limitations recited in claim 1. Applicant respectfully submits that the cited references at least fail to disclose or suggest receiving an application identifier for an application at a business relationship manager module, and transmitting a user identifier of a user of a wireless terminal to an operator network, wherein the user identifier identifies the user of the wireless terminal, as recited in claim 1.

In contrast to claim 1, Edelman discusses that a program installed on a client computer (100) communicates with a licensing medium (120), which is a portable component that contains information concerning the software or other licensed electronic data that the user is authorized to access. See Edelman paragraphs [0059]-[0060]. The licensing medium, i.e. smart card (120), contains licensing information that indicates to the client program which software the user is authorized to access. See Edelman paragraph [0065]. It appears that the Office is asserting that the licensing medium (120) discussed in Edelman corresponds to the business relationship manager module recited in claim 1. Because both components are related to containing information regarding authorized/registered applications.

However, Edelman does not disclose or suggest transmitting a user identifier of a user of

a wireless terminal that identifies the user of the wireless terminal, as recited in claim 1. Instead, during registration of software in Edelman, the program reads data from the licensing medium, i.e. smart card (120), and transmits it to the registration authority along with a set of registration information. See Edelman paragraph [0077]. The registration information sent to the registration authority includes the unique identifier of the software to be registered, as well as a product number for the software to be registered, and a unique smart card serial number. See Edelman paragraphs [0080]-[0081]. The unique smart card serial number does not identify a user of a wireless terminal, and therefore cannot correspond to the user identifier, as recited in claim 1. Therefore, the amendments to claim 1 further clarify the distinctions between Edelman and the present invention.

Furthermore, Circenis fails to make up for the deficiencies in the teachings of Edelman identified above, and as such the cited references, alone or in combination, fail to disclose or suggest all of the limitations recited in claim 1.

Independent claims 14-16 and 18 contain limitations similar to those recited in claim 1. Therefore, applicant respectfully submits that independent claims 14-16 and 18 are not disclosed or suggested by the cited references for at least the reasons discussed above with respect to claim 1.

The dependent claims rejected above ultimately depend from an independent claim, and therefore are not disclosed or suggested by the cited references at least in view of their dependencies.

In section 18, on page 7 of the Office Action, claim 8 is rejected under 35 U.S.C. § 103(a) as unpatentable over Edelman in view of Circenis, and further in view of Official Notice. Applicant respectfully submits that claim 8 is not disclosed or suggested at least in view of its dependency.

In section 20, on page 8 of the Office Action, claim 11 is rejected under 35 U.S.C. § 103(a) as unpatentable over Edelman in view of Circenis, and in further view of and Emondi et al. (U.S. Appl. Publ. No. 2002/0016748). The additional cited references fails to make up for the deficiencies in the teachings of the references cited against claim 1 identified above. Claim 11

ultimately depends from independent claim 1, and therefore is not disclosed or suggested by the cited references at least in view of its dependency.

In section 22, on page 9 of the Office Action, claim 17 is rejected under 35 U.S.C. § 103(a) as unpatentable over Edelman in view of Circenis, and in further view of Emondi and Samjani, “General Packet Radio Service.” The additional cited references fail to make up for the deficiencies in the teachings of the references cited against claim 16 identified above. Claim 17 ultimately depends from independent claim 16, and therefore is not disclosed or suggested by the cited references at least in view of its dependency.

In section 24, on page 10 of the Office Action, claims 19 and 22 are rejected under 35 U.S.C. § 103(a) as unpatentable over Kunii in view of Edelman, and in further view of Circenis. Independent claims 19 and 22 are amended to contain limitations similar to those recited in claim 1. For at least the reasons discussed above with respect to claim 1, the cited references fail to disclose or suggest the limitations of amended claims 19 and 22.

In section 27, on page 12 of the Office Action, claim 20 is rejected under 35 U.S.C. §103(a) as unpatentable over Kunii in view of Edelman, and in further view of Circenis, CGI and Samjani. Claim 20 ultimately depends from an independent claim, and therefore is not disclosed or suggested by the cited references at least in view of its dependency.

In section 29, on page 13 of the Office Action, claims 21 and 24 are rejected under 35 U.S.C. §103(a) as unpatentable over Kunii in view of Edelman, and in further view of Circenis and Samjani, “General Packet Radio Service.” Claims 21 and 24 ultimately depend from an independent claim, and therefore are not disclosed or suggested by the cited references at least in view of their dependencies.

In section 32, on page 15 of the Office Action, claim 23 is rejected under 35 U.S.C. § 103(a) as unpatentable over Kunii in view of Edelman, and in further view of Circenis, CGI and Samjani. Claim 23 ultimately depends from independent claim 22, and therefore is not disclosed

or suggested by the cited references at least in view of its dependency.

Conclusion

For at least the reasons discussed above, the present application is believed to be in condition for allowance, and such action is earnestly solicited. The undersigned hereby authorizes the Commissioner to charge Deposit Account No. 23-0442 for any fee deficiency required to submit this response.

Respectfully submitted,

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